

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
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Applicant: Keating et al)
Applicant's Ref: 59472-8048.US01)
Serial No.: 09/922,990)
Filed: August 3, 2001)
Title: **DIGITAL DISPLAY JITTER
CORRECTION APPARATUS AND
METHOD**)

Examiner: P. Natnael

Group Art Unit: 2614

Date: June 9, 2005

Confirmation No.: 8457

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to
Examiner Paulos N. Natnael (Art Unit 2614) at the United States Postal
Service via facsimile transmission at facsimile no. (703) 872-9306 on
June 9, 2005.

Signed: Maureen Golob

Maureen Golob

STATEMENT OF SUBSTANCE OF INTERVIEW

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Please enter the following Statement of Substance of Interview.

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STATEMENT OF SUBSTANCE OF INTERVIEW

An Examiner telephonic interview occurred on June 9, 2005. Present at the interview was Jonathan P. Kudla (Reg. No. 47,724).

Briefly, the Examiner left a voicemail for Steven S. Kelley (Reg. No. 43,449) which in turn was forwarded to Paul L. Hickman (Reg. No. 28,516) and the associated information contained in the voicemail was turned over to Mr. Kudla. In the voicemail, the Examiner indicated that claims 23-40 are allowable and requested to perform an Examiner's amendment to cancel the remaining claims, namely claims 1-3, 6-10, 13-15, 18-20, 41-43 and 45-46. A review of the file indicated that claims 1-3, 6-10, 13-15, 18-20 and 23-40 were previously indicated to be allowable. Additionally claims 44-45 were objected to as being dependent on a rejected base claim but would be allowable if re-written into independent form. In response, Applicant folded the subject matter of claim 44 into independent claim 41 and the dependency of claim 45 was changed to depend from claim 41.

Applicant initiated the Examiner telephonic interview and the status of the pending claims was discussed. The Examiner verified the information contained in the aforementioned voicemail. Applicant inquired as to why claims 1-3, 6-10, 13-15, 18-20, 41-43 and 45-46 were also not allowable as was indicated in the Office Action dated December 14, 2004. The Examiner replied that a newly discovered prior art reference obviated, in his opinion, claims 1-3, 6-10, 13-15, 18-20, 41-43 and 45-46 and would be used as a basis for rejection should Applicant continue the prosecution of the present application. Additionally, the Examiner refused to disclose the newly discovered prior art reference but indicated that claims 23-40 would be allowable over the undisclosed new art.

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The Examiner offered to cancel the other claims by Examiner's amendment and allow the application with respect to claims 23-40. Applicant informed the Examiner that the Applicant preferred to submit his own amendment. The interview was then concluded.

Applicant further states for the record that since Applicant has not seen the newly discovered art, Applicant does not know if it renders unpatentable or is even material to claims 1-3, 6-10, 13-15, 18-20, 41-43 and 45-46. Applicant reserves the right to file a continuation application re-introducing claims 1-3, 6-10, 13-15, 18-20, 41-43 and 45-46 and claims of an equivalent scope. Applicant further states that the amendment to cancel claims 1-3, 6-10, 13-15, 18-20, 41-43 and 45-46 is in no event to be seen as a narrowing amendment or for purposes of patentability for the remaining claims. The amendment is strictly being undertaken to expedite the prosecution of the application and to obtain a patent for claims found to be allowable by the Examiner.

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CONCLUSION

Applicant respectfully requests an early Notice of Allowance. If the Examiner believes that an additional conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at the number set out below.

Respectfully submitted,
Perkins Coie LLP

Date: June 9, 2005


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